



DEPARTMENT OF THE ARMY
HEADQUARTERS, 18TH MILITARY POLICE BRIGADE
CMR 418
APO AE 09058

REPLY TO
ATTENTION OF

AETV-MP-H

26 October 2004

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: 18th Military Police Brigade Command Policy Memorandum # 12, Sexual Misconduct

1. References:

- a. Army Policy on Sexual Assault, 7 April 2004
- b. V Corps Policy memorandum #19, 13 July 2004
- c. Bell Sends: #14-04; Sexual Misconduct, 19 March 2004
- d. USAREUR Sexual Misconduct Action Plan, 16 April 2004
- e. AR 600-20, 13 May 2002
- f. USAREUR Sexual Misconduct Website:
www.per.hqusareur.army.mil/sexualmisconduct

2. Sexual misconduct is a crime, which has lasting effects upon its victims and can significantly damage relationships within families, units, and the local military and civilian communities. As leaders we must do everything we can within our command to prevent sexual misconduct before it happens; properly address the crime if it should happen; and finally provide for recovery of the victim after the incident. The plan of action that addresses these three phases include 1) Prevention 2) Crisis 3) Recovery.

a. Phase I: Prevention. This phase is continuous and concentrates on training and alerting everyone—commanders, unit members, family members, and organizations—of sexual misconduct issues and our responsibilities for preventing misconduct. This phase also involves deterring would-be offenders by ensuring that the consequences of sexual misconduct are known and the judicial process is understood.

b. Phase II: Crisis. This phase begins with notification that a sexual assault has occurred, and concentrates on providing expeditious care and support to the victim. Numerous agencies are available to provide care and support for the victims of sexual assault, including the military police, the Criminal Investigation Division (CID), the servicing staff judge advocate (SJA), the local medical treatment facility (MTF), the unit

chaplain, and the unit chain of command. Also critical to this phase are the proper and immediate actions by military law-enforcement personnel in conducting a thorough investigation to document all evidence and witness statements pertaining to the crime. On notification that a sexual assault has occurred in a unit, the unit commander will consider the case as genuine, treat the case fairly, and not pass judgment on those involved. This phase is completed once the victim begins phase III.

c. Phase III: Recovery. This phase begins after the victim's immediate health concerns have been addressed and the victim has met with a victim's advocate for sexual assault. Decisive to this phase is rehabilitating the victim and providing victim/witness liaison support needed to keep the victim informed of ongoing investigative and legal processes related to the assault. Local MTFs, in coordination with commanders, will develop a long-term physical and mental care plan for the victim. This phase is continuous and will last as long as the victim indicates that he or she requires care.

3. The sexual misconduct campaign plan is a commander's responsibility. Commanders will ensure the following is accomplished:

a. Adhere to the guidelines in the USAREUR Sexual Awareness Campaign in a proactive effort to eliminate sexual misconduct, assault, and harassment.

b. Maximize existing policies and programs.

c. Conduct mandatory semi-annual training IAW AR 600-20 and the USAREUR Campaign plan.

4. Tasks: All subordinate commanders will execute the following task and requirements.

a. Review current policies and validate their relevance.

b. Develop internal care and support plans incorporating community agencies such as MPs, JAG, Chaplain, and medical treatment facilities.

c. Conduct command climate surveys within 90 days after assuming command

d. Develop contingency plans for sexual misconduct incidents that specifically address victim and offender issues.

e. Inform soldiers of legal consequences and career implications of committing acts of sexual violence by posting all unit and higher policy letters in common areas. Also use public bulletin boards to post the outcome of sexual misconduct cases as well as notifications of punishment under UCMJ.

f. Identify soldiers who are "high-risk" or have a potential drinking problem.

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g. Review barracks safety policies and procedures, focusing on reducing unnecessary risks.

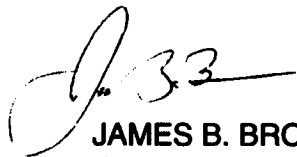
h. Include training on sexual misconduct preventive measure and barracks safety for new arrivals during unit in-processing and ensure that all soldiers receive sexual misconduct brief.

5. We must treat every soldier in this command with proper dignity and respect. A soldier accused of sexual misconduct is innocent until proven guilty. Soldiers accused of sexual misconduct will receive access to necessary legal, spiritual, and mental health resources. Each case will be evaluated on the basis of its particular facts. At the same time, throughout the investigation, we must immediately show compassion and support for the victim. The rights of both the victim and accused will be protected.

6. This policy will be posted on every unit's and outlying platoon bulletin boards.

7. POC for this for this memorandum is the undersigned at 382-5656.

8. "EVER VIGILANT!"

A handwritten signature in black ink, appearing to read "J. B. Brown", with a stylized flourish extending from the end.

JAMES B. BROWN
COL, MP
Commanding

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